

REMARKS

In the present Amendment, the specification has been amended to correct a typographical error. Claims 1, 2 and 20 have been amended to recite that the titanium oxide fine particles are rutile-anatase type titanium oxide fine particles having a long axis length of 10 to 30 nm, and that the isolation rate of the titanium oxide fine particles is 0.7% or less. In addition, claims 2 and 20 have been amended to recite that the isolation rate of the negatively electrifiable silica fine particles and the positively electrifiable silica fine particles is 0.43% or less. Section 112 support for the recitation of rutile-anatase type titanium oxide fine particles having the recited range of long axis lengths may be found, for example, at page 50, lines 13-15 of the specification. The recited isolation rates are supported, for example, in Table 1-3 at page 121 of the specification. Claims 3, 6, 9-12, 14-17, 19, 27-41 and 43 have been cancelled. The dependencies of claims 4, 5 and 8 have been amended accordingly. No new matter has been added, and entry of the Amendment is respectfully requested.

Upon entry of the Amendment, claims 1-2, 4-5, 8, 20-24 and 26 will be pending.

At page 2 of the Office Action, claims 1-6, 8-12, 14-17, 19-24, 26-41 and 43 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Proper (6,756,173) in view of Hollenbaugh et al (6, 291,121), Tachi et al (6,677,096), Winnik et al (5,202,209) and Gutman et al (6,503,677).

As to claims 3, 6, 9-12, 14-17, 19, 27-41 and 43, the rejection is moot in view of the cancellation of these claims.

With regard to claims 1-2, 4-5, 8, 20-24 and 26, Applicants submit that the rejection should be withdrawn because Proper '173, Hollenbaugh et al '121, Tachi et al '096, Winnik et al

'209 and Gutman et al '677 do not disclose or render obvious the toner or image-forming apparatus of the present claims.

As recited in independent claim 1, the present invention relates to a toner obtained by a particular process. Specifically, the toner is obtained by a process including, in the following order, the steps of:

- (1) externally adding negatively electrifiable silica fine particles to toner mother particles containing a binder resin and a colorant;
- (2) externally adding titanium oxide fine particles; and
- (3) externally adding positively electrifiable silica fine particles.

As specified in claim 1, the titanium oxide fine particles are rutile-anatase type titanium oxide fine particles having a long axis length of 10 to 30 nm, and the isolation rate of the titanium oxide fine particles is 0.7% or less. See claim 1.

None of the cited documents disclose or suggest the toner of present claims 1-2, 4-5, and 20-24, as amended, or the image-forming apparatus of present claims 8 and 26, as amended.

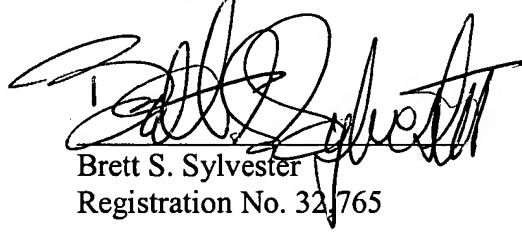
Accordingly, reconsideration and withdrawal of the §103(a) rejection based on Proper '173 in view of Hollenbaugh et al '121, Tachi et al '096, Winnik et al '209 and Gutman et al '677 are respectfully requested.

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Appln. No.: 10/758,091

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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